



AMENDED

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621 HONOLULU, HAWAII 96809

**AGENDA
FOR THE MEETING OF THE
COMMISSION ON WATER RESOURCE MANAGEMENT**

DATE: October 18, 2022
TIME: 9:00 am
PLACE: DLNR Boardroom, Kalanimoku Bldg.
1151 Punchbowl Street, 1st Floor / & Online via Zoom
Meeting ID: 818 3970 1221 / passcode: 345439

Board members, staff, applicants, and testifiers can choose to participate either in person, via ZOOM or by telephone. The public may view the meeting via its live stream at: <https://www.youtube.com/user/dlnrcwrm/>

To Provide Written Testimony:

We encourage interested persons to submit written testimony in advance of the meeting, which will be distributed to Commissioners prior to the meeting and ensure a timely review. Please submit written testimony via email to: raeann.p.hyatt@hawaii.gov or to: dlnr.cwrm@hawaii.gov. Written testimonies may also be mailed to: P.O. Box 621, Honolulu, Hawaii 96809. Written testimonies may be posted upon the Commission on Water Resource Management website; as a precaution, please be mindful with any personal information prior to submitting unless you intend it to be shared. Late written testimony will be retained as part of the record and distributed to Commissioners as soon as practicable, but we cannot ensure the Commission will receive it in sufficient time to review, prior to decision-making.

To Provide In-Person Oral Testimony (masks are encouraged):

Attend in-person at: 1151 Punchbowl St. Room 132 (Kalanimoku Building), Honolulu, Hawaii

To provide video/Zoom testimony: Send your request to the Commission Secretary in a timely manner to: raeann.p.hyatt@hawaii.gov with your information, email address, and the agenda item you wish to testify on. Once your request has been received, you will receive a confirmation email with pertinent information.

To provide Testimony by Telephone - on the day of the meeting at the start of the agenda item you wish to testify on, dial: 1-669-900-6833 (Zoom); input the meeting ID & passcode and follow the prompts.

Note: All phone in and day of requests depends on whether they can be accommodated in sufficient time before the item has been addressed by the Commission; kindly note that due to meeting constraints only timely testimony can be addressed.

We kindly ask that all oral/video testimony be limited to not more than three (3) minutes.

A. APPROVAL OF MINUTES

September 20, 2022

B. ACTION ITEMS

1. ~~Request for Reconsideration of Commission's Decision on Item B-1 on August 16, 2022- Commission Agenda - Approve with Special Conditions the Natural Energy Laboratory of Hawaii Authority and Hawaii Housing Finance and Development Corporation Application for a Well Construction Permit, Ota Well (Well No. 8-3957-006), TMK (3)-7-5-001:165, Lanihau 1-2, Moeauo Ahupua'a, Keauhou, Hawai'i~~
2. Follow-up Actions Related to the April 19, 2022 Commission Decision to Amend the Interim Instream Flow Standards and Complaint Against Waste by Molokai Properties for the Kawela (4037), Kaunakakai (4039), and Manawainui (4041) Hydrologic Units Filed by Moloka'i No Ka Heke (CDR.5310.4) By Requiring The Temporary Modification of Diversion 867 on East Kawela, and Monitoring Streamflow at Lualohe (Diversion 863) and Kamoku (Diversion 865) Intakes, Moloka'i
3. Find that Olowalu Water Company, LLC, Owner and Operator of Diversion 961 Violated the Interim Instream Flow Standard on Olowalu Stream and Impose Fines and Order Modifications to Diversion 961, Olowalu Surface Water Hydrologic Unit, Lahaina, Maui
4. Amend the Interim Instream Flow Standard on Olowalu Stream Below Diversion 961 to Reflect a Change in Monitoring Location and Hydrologic Conditions, Olowalu Surface Water Hydrologic Unit, Lahaina, Maui

C. NON-ACTION ITEMS / INFORMATIONAL BRIEFINGS

1. (*For Information only*) Reservation of Non-Potable Water for the Department of Hawaiian Home Lands and Amended Interim Instream Flow Standards for the Surface Water Hydrologic Units of Waikamoi (6047), Honomanu (6051), Nuaailua (6052), West Wailuaiki (6057), Waiohue (6060), from East Maui streams in the Nahiku, Keanae and Honomanu regions, Maui

D. RED HILL ITEMS (*For Information Only*)

1. Update from Navy on Red Hill Aquifer Recovery and Water Management Efforts

E. COMMISSION MEETING SCHEDULE (*tentative*)

November 15, 2022 (Tuesday)

December 20, 2022 (Tuesday)

NOTE: Items may be taken out of order and will be announced at the start of the meeting

The Commission may go into Executive Session pursuant to 92-5(a)(4), Hawaii Revised Statutes, in order to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities.

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Materials related to items on this agenda are available for review at our office at 1151 Punchbowl Street, Room 227, and will also be available at the meeting.

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In some of the matters before the Commission, a person may wish to request a contested case hearing. If such a request is made before the Commission's decision, then the Commission will consider the request first before considering the merits of the item before it. A person who wants a contested case may also wait until the Commission decides the issue, then request the contested case after the decision, it is up to you. Any request must be made orally by the end of the meeting and followed up in writing within ten days. If no request for contested case is made, the Commission will make a decision. The Department will treat the decision as final and proceed accordingly.

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If you need an auxiliary aid/service or other accommodation due to a disability, contact the Commission Secretary at: 808-587-0214 and dlnr.cwrn@hawaii.gov as soon as possible. Requests made as early as possible will allow adequate time to fulfill your request. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

Please refer to the CWRM website for complete submittals at: <http://dlnr.hawaii.gov/cwrn/newsevents/meetings/>